

DECISION

**THE COMPTROLLER GENERAL
OF THE UNITED STATES**
WASHINGTON, D.C. 20548

FILE: B-210860

DATE: March 14, 1983

MATTER OF: Control Technology Co., Inc.

DIGEST:

1. Allegation that a bid price is too low to permit satisfactory performance does not provide a valid basis to challenge an award to a bidder that is determined to be responsible.
2. Whether an awardee's product conforms to the contract requirements is a matter of contract administration, which is the responsibility of the procuring agency and not GAO.

Control Technology Co., Inc. (CTCI), protests the award of a contract to Midway Aircraft Instrument Corporation (Midway) under solicitation No. FD2020-83-19133, issued by the Department of the Air Force. CTCI contends that Midway cannot supply the oil quantity indicator requirement at the price bid and alleges that Midway may supply used or surplus material, rather than a new indicator as required by the solicitation.

With regard to CTCI's allegation that Midway submitted a below-cost bid, the fact that a bid may be below cost does not provide a valid basis to challenge an award to a firm that is determined responsible, and such a determination must be made before any contract award. Tombs & Sons, Inc., B-206810.2, May 10, 1982, 82-1 CPD 447. Whether Midway ultimately supplies an item conforming to the contract requirements is a matter of contract administration, which is the responsibility of the procuring agency and not this Office. Domar Industries, B-209861, December 30, 1982, 82-2 CPD 589.

We dismiss the protest.

Harry R. Van Cleve
Harry R. Van Cleve
Acting General Counsel

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